

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Respondent,
v.
HOANG AI LE,
Movant.

No. 2:99-cr-0433 WBS AC

ORDER

Movant, a federal prisoner, has filed a motion for leave to submit a supplemental pro se brief in support of his motion to correct the sentence. ECF No. 1798. Movant is represented by counsel for purposes of pending proceedings under 28 U.S.C. § 2255. As the court has previously explained (see, e.g., ECF Nos. 1741, 1750, 1797), a criminal defendant who is represented by counsel does not have the right to simultaneously litigate in pro se. See United States v. Bergman, 813 F.2d 1027, 1030 (9th Cir. 1987); United States v. Olano, 62 F.3d 1180, 1193 (9th Cir. 1995). “Whether to allow hybrid representation, where the accused assumes some of the lawyer’s functions, is within the sound discretion of the judge.” United States v. Williams, 791 F.2d 1383, 1389 (9th Cir. 1986) (citation omitted). Both the district judge and the undersigned magistrate judge have previously declined to permit hybrid representation in this case. ECF Nos. 1741, 1750, 1797. That decision will not be revisited.

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Accordingly, the motion for submission of a supplemental pro se brief, ECF No. 1798, is hereby DENIED.

IT IS SO ORDERED.

DATED: April 4, 2019

Allison Claire
ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE